

\*E-Filed 2/24/12\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JAMES EDWARD SCOTT,  
Plaintiff,

No. C 11-5727 RS (PR)

**ORDER OF DISMISSAL**

v.

JOHN DOE,  
Defendant.

This is a federal civil rights action filed pursuant to 42 U.S.C. § 1983 by a *pro se* state prisoner. Pursuant to plaintiff's notice of voluntary dismissal (Docket No. 7), this action is dismissed. *See* Fed. R. Civ. P. 41(a)(1) ("[A]n action may be dismissed by the plaintiff without order of the court . . . by filing a notice of dismissal."); *Hamilton v. Shearson-Lehman American Exp. Inc.*, 813 F.2d 1532, 1534–1536 (9th Cir. 1987) (Rule 41(a)(1)(I) does not require leave of court to dismiss the action). The dismissal is without prejudice. *See* Fed. R. Civ. P. 41(a)(1). The Clerk shall enter judgment in favor of defendant, and close the file.

**IT IS SO ORDERED.**

DATED: February 24, 2012

  
RICHARD SEEBORG  
United States District Judge

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